IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2007

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.29027 of 2007

K.Devaraj .. Petitioner.

Versus

The Revenue Divisional Officer,
Coimbatore, Coimbatore District. .. Respondent.

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondent to release the Tipper Lorry bearing Registration No.TN-37-AP-2961 seized by the respondent on 24.08.2007 to the petitioner.

For petitioner : Mr.C.Prakasam

For respondent : Mr.A.Arumugam
Additional Government Pleader

O R D E R

Mr.A.Arumugam, the learned Additional Government Pleader takes notice for the respondent.

2. With the consent of the learned counsels appearing on either side, the writ petition is taken up for final disposal.

3. Considering the facts and circumstances of the case, the respondent is directed to release the Lorry bearing Registration TN-37-AP-2961 to the petitioner, on the following conditions:-

A) The petitioner shall establish the ownership of the vehicle by producing the necessary documents before the respondent.

B) The petitioner shall not part with or alienate the vehicle in any manner till the adjudication is over.

C) The petitioner shall deposit with the respondent a sum of Rs.15,000/- (Rupees Fifteen Thousand only) in cash, as agreed.

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D) The petitioner shall file an undertaking that he will not use the vehicle for any illegal activities in future and also to produce the vehicle before the respondent as and when called for.

E) The petitioner shall also produce the vehicle once in two months before the respondent herein in order to ensure that condition (B) is properly complied with.

4. In the event of default by the petitioner in complying with condition B or E, it will be open to the respondent to seize the vehicle, without further notice to the petitioner.

5. With the above directions, this Writ Petition is disposed of, at the admission stage itself. No costs.

csh

Sd/-
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

The Revenue Divisional Officer,
Coimbatore, Coimbatore District.

+1 cc to Mr.C.Prakasam, Advocate Sr.No.57132.

RS(CO)
dcp/13.9

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